

## Report of the Head of Planning, Sport and Green Spaces

**Address** NORTHWOOD HEALTH & RAQUETS CLUB 18 DUCKS HILL ROAD  
NORTHWOOD

**Development:** Variation of condition 14 (Operating Hours) of planning permission Ref: 272/DL/93/1539 dated 09/01/1995 (Demolition of existing buildings and erection of a 11,938 sq. metres indoor tennis centre with ancillary sports and restaurant facilities, and outside tennis courts)

**LBH Ref Nos:** 272/APP/2016/1562

**Drawing Nos:** 166-A01 Rev. P5

**Date Plans Received:** 22/04/2016

**Date(s) of Amendment(s):**

**Date Application Valid:** 22/04/2016

### 1. **SUMMARY**

The application seeks permission for the variation of condition No. 14 (Opening Hours) of planning permission ref: 272/DL/93/1539 dated 09/01/1995 to allow the extension of the opening hours from 6.30 - 23.30 Monday to Friday and 8.00 - 23.30 Saturday and Sunday, to 6.00 - 23.30 Monday to Friday and 7.00 - 23.30 on Saturdays and Sundays; an additional half hour on the week day mornings and one hour earlier on the weekends.

The Health Club has extensive grounds and a dedicated access with no residential properties in close proximity to the Health Club. As such, the proposed increase in opening hours will not have a discernible or detrimental impact upon the amenities of the area, but will offer an improved service to members. The Club has a large amount of car parking that is situated a good distance from any residential properties, so there will be no discernible adverse highways or noise impacts from the slightly earlier opening times.

The proposal is therefore recommended for approval with the inclusion of all relevant conditions carried forward from the previous consent.

### 2. **RECOMMENDATION**

**APPROVAL subject to the following:**

#### 1 NONSC **Non Standard Condition**

Operation of the site shall be restricted to 06.00 hours to 23.30 hours Monday to Fridays, and 07.00 to 23.30 hours on Saturdays and Sundays.

#### REASON

To ensure that the amenity of the occupiers of adjoining or nearby properties is not adversely affected in accordance with the NPPF and Policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### 2 NONSC **Non Standard Condition**

The roads/turning/loading facilities and parking areas (as identified in the approved plans under application 272/DL/93/1539) shall be permanently retained and used for no other purpose.

REASON

In the interest of Highway Safety in accordance with Policy AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**3 NONSC Non Standard Condition**

The planting screen and/or hedgerows shown as boundary treatment to Cygnet Close shall be maintained to a maximum height of 2.3m and any gaps which may occur shall be filled with replacement planting of a similar size and species.

REASON

To ensure that the amenity of the occupiers of adjoining or nearby properties is not adversely affected in accordance with the NPPF and Policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**4 A21 Parking for Wheelchair Disabled People**

A proportion of parking spaces (with dimensions of 4.8m x 3.6m to allow for wheelchair transfer to and from the side of car) shall be reserved exclusively for people using wheelchairs and clearly marked with the Universal Wheelchair Symbol both vertically and horizontally. Such parking spaces shall be sited in close proximity to the nearest accessible building entrance which shall be clearly signposted and dropped kerbs provided from the car park to the pedestrian area. These parking spaces shall be provided in accordance with the Council's adopted car parking standards. Thereafter, these facilities shall be permanently retained.

REASON

To ensure that people in wheelchairs are provided with adequate car parking and convenient access to building entrances.

**5 ADV6 Hours of Illumination**

The floodlights on the tennis courts adjacent to the lake shall only be used until 21.30 hours each day.

REASON

In order to protect the visual amenities of the area in accordance with Policy BE27 of the Hillingdon Unitary Development Plan Saved Policies (November 2012).

**6 COM11 Restrictions on Changes of Uses (Part 3, Sch. 2 GPDO 1995)**

Notwithstanding the provisions of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the building(s) shall be used only for purposes within Use Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended).

REASON

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2015).

**7 NONSC Non Standard Condition**

No national or international sporting events; public entertainments (other than for members and their guests); nor markets, fairs or circuses, shall be held on site, without the prior written consent of the local planning authority.

REASON

To ensure that the amenity of the occupiers of adjoining or nearby properties is not adversely affected in accordance with the NPPF and Policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

## **8 NONSC Non Standard Condition**

No amplified or other music shall be played on the premises during the extended opening hours of 06.00 hrs to 07.00 hrs Monday to Fridays, 0700 to 08.00 hrs on Saturdays and Sundays.

### **REASON**

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 of the Hillingdon Unitary Development Plan Saved Policies (November 2012).

## **INFORMATIVES**

### **1 I59 Councils Local Plan : Part 1 - Strategic Policies**

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2015). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

## **3. CONSIDERATIONS**

### **3.1 Site and Locality**

The Northwood Health and Raquets Club is a multi-sports and health complex within extensive landscaped grounds. There is a large essentially single storey building sited on the north western boundary of the site with a large car park to the front, the access to which is obtained from the A4180 (Ducks Hill Road). There are 13 floodlit outdoor tennis courts on the south and east side of the building, with a small lake in front.

The site is adjoined to the north west by the grounds of Mount Vernon Hospital, to the north by the grounds of the Northwood Cricket Club, to the east and south east by residential development fronting Ducks Hill Road and Cygnet Close and to the west by open farm land.

The site is within a Countryside Conservation Area and forms part of the Green Belt, as do the adjoining hospital and cricket grounds and open land to the south, west and north, as identified in the adopted Hillingdon Local Plan (November 2012).

### **3.2 Proposed Scheme**

The proposal is for the variation of condition No. 14 (Operating Hours) of planning permission ref:272/DL/93/1539 dated 09/01/1995, to change the operating hours to allow extended opening hours. The premises is currently open to the public between 6.30 - 23.30 Monday to Friday and 8.00 - 23.30 Saturday and Sunday. It is proposed to extend this to 6.00 - 23.30 Monday to Friday and 7.00 - 23.30 on Saturdays and Sundays.

### 3.3 Relevant Planning History

272/APP/2010/1019 The Riverside Health & Raquets Club 18 Ducks Hill Road Northwood  
A new golf training facility at The Riverside Health & Racquets Club, Northwood

**Decision:** 09-07-2010 NFA

272/APP/2012/975 Car Park For Virgin Active At 18 Ducks Hill Road Northwood  
Installation of 10 x light columns with luminaires involving the removal of existing bollard fittings

**Decision:** 18-09-2012 Approved

272/APP/2014/1234 Riverside Health And Racquets Club, 18 Ducks Hill Road Northwood  
Installation of a temporary 3 court tennis dome, fan housing and ancillary facilities.

**Decision:** 29-07-2014 Approved

272/APP/2014/3484 Riverside Health 7 Racquets Club Ducks Hill Road Northwood  
Details pursuant to conditions 3 (Landscape Scheme), 4 (Lighting) and 6 (Energy Assessment) planning permission Ref: 272/APP/2014/1234 dated 11/08/2014 (Installation of a temporary 3 court tennis dome, fan housing and ancillary facilities)

**Decision:** 03-12-2014 Approved

272/APP/2015/1093 Northwood Health & Racquets Club 18 Ducks Hill Road Northwood  
Details pursuant to conditions 3 (Landscape Scheme), 4 (Method Statement/Tree Protection), 6 (Sustainable Water Management) and 7 (Lighting) of planning permission Ref: 272/APP/2014/1529 dated 02/03/2015 (Installation of 43 additional parking spaces, resurfacing access road and installation of storage shed to rear)

**Decision:** 19-05-2015 Approved

272/DL/93/1539 Park Farm Ducks Hill Road Northwood  
Demolition of existing buildings and erection of a 11,938 sq. metres indoor tennis centre with ancillary sports and restaurant facilities, and outside tennis courts

**Decision:** 09-01-1995 DOE **Appeal:** 09-01-1995 Allowed

#### Comment on Relevant Planning History

272/DL/93/1539 - Demolition of existing buildings and erection of a 11,938 sq. metres indoor tennis centre with ancillary sports and restaurant facilities, and outside tennis courts

### 4. Planning Policies and Standards

#### UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

OE1 Protection of the character and amenities of surrounding properties and the local area

OL1 Green Belt - acceptable open land uses and restrictions on new development

OL4 Green Belt - replacement or extension of buildings

## **5. Advertisement and Site Notice**

**5.1** Advertisement Expiry Date:- Not applicable

**5.2** Site Notice Expiry Date:- Not applicable

## **6. Consultations**

### **External Consultees**

313 neighbouring properties were consulted with an expiry date for comments of 29th July. A site notice was erected on the lamp post in front of 20 Ducks Hill Road expiring on 23 May 2016. At the time of writing the report there have been 3 responses received with the following comments:

- There are occasions when the exterior doors of exercise studios are opened during exercise sessions. This allows the noise of the instructors amplified instructions and music to travel some distance and annoy surrounding residents. I have no objection to the extended hours provided this annoying noise is controlled during the proposed early morning time extension
- I have no objections provided no new building works are proposed
- Is this privately owned/member's club or access to the public? Okay if the latter and affordable to the local community. How will traffic be mitigated against during construction.

Officer response: This proposal is for the change in opening hours for an existing establishment only, there is no building works associated with this proposal. A condition could be included to restrict the playing of amplified music during the extended hours

### **Internal Consultees**

Environmental Protection - No objections

Trees/Landscape - No landscape issues with regard to this proposal.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

Although the application site is situated within the Green Belt, it is considered that the principle of development is acceptable given that the proposed development would assist in the function of the permitted recreational use.

### **7.02 Density of the proposed development**

Not applicable to this proposal.

### **7.03 Impact on archaeology/CAs/LBs or Areas of Special Character**

Not applicable to this proposal.

### **7.04 Airport safeguarding**

Not applicable to this proposal.

#### **7.05 Impact on the green belt**

National Planning Policy Framework and Policy OL1 Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that the provision of facilities for outdoor sport and outdoor recreation is considered as appropriate development within the Green Belt. Policy OL4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to ensure that any development is not disproportionate, does not injure the visual amenities of the Greenbelt and does not create a 'built-up appearance'.

The current use of the site is considered appropriate, as a Health and Sport Club under 'outdoor recreation and sport'. The proposed slight extension to the hours of operation would assist in its function and service provided to customers.

The minimal scale of the proposed change to operational hours would not involve any new built form nor would it lead to a significant intensification of the level of activity at the site. As such the proposed development would comply with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policy OL1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### **7.06 Environmental Impact**

Not applicable to this proposal.

#### **7.07 Impact on the character & appearance of the area**

It is not considered that the proposal would lead to any changes to the character and appearance of the street scene.

#### **7.08 Impact on neighbours**

The proposed amendment would open the Health Club by an additional half hour in the mornings during the week and an hour in the mornings at the weekend.

The Health Club has extensive grounds and a dedicated access with no residential properties in close proximity to the Health Club. The Club has a large amount of car parking that is situated a good distance from any residential properties, so there will be no discernible adverse highways or noise impacts from the slightly earlier opening times. As such, the proposed increase in opening hours will not have a discernible or detrimental impact upon the amenities of the area, but will offer an improved service to members.

The impact on neighbours is considered acceptable and would comply with Local Plan Policy OE1.

#### **7.09 Living conditions for future occupiers**

Not applicable to this application.

#### **7.10 Traffic impact, car/cycle parking, pedestrian safety**

There is potential for an increased number of vehicle movements between the established opening times and the extended opening hours. However, due to the relatively minor amendment proposed, and the time of day, it is considered unlikely that the proposal would result in such a significant increase in usage. On this basis it is not considered that the proposal would cause increased noise and disturbance or increased traffic movements which would have any greater impact on local residents than what is already existing.

#### **7.11 Urban design, access and security**

The proposal would not change the appearance of the premises.

#### **7.12 Disabled access**

Not applicable to this application.

**7.13 Provision of affordable & special needs housing**

Not applicable to this application.

**7.14 Trees, Landscaping and Ecology**

Not applicable to this application.

**7.15 Sustainable waste management**

Not applicable to this application.

**7.16 Renewable energy / Sustainability**

Not applicable to this application.

**7.17 Flooding or Drainage Issues**

Not applicable to this application.

**7.18 Noise or Air Quality Issues**

Not applicable to this application.

**7.19 Comments on Public Consultations**

None

**7.20 Planning Obligations**

Not applicable to this application.

**7.21 Expediency of enforcement action**

Not applicable to this application.

**7.22 Other Issues**

Not applicable to this application.

**8. Observations of the Borough Solicitor**

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act

1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

#### Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

#### **9. Observations of the Director of Finance**

Not applicable.

#### **10. CONCLUSION**

The application for the variation of Condition 14 is considered to be acceptable and the recommendation is to approve.

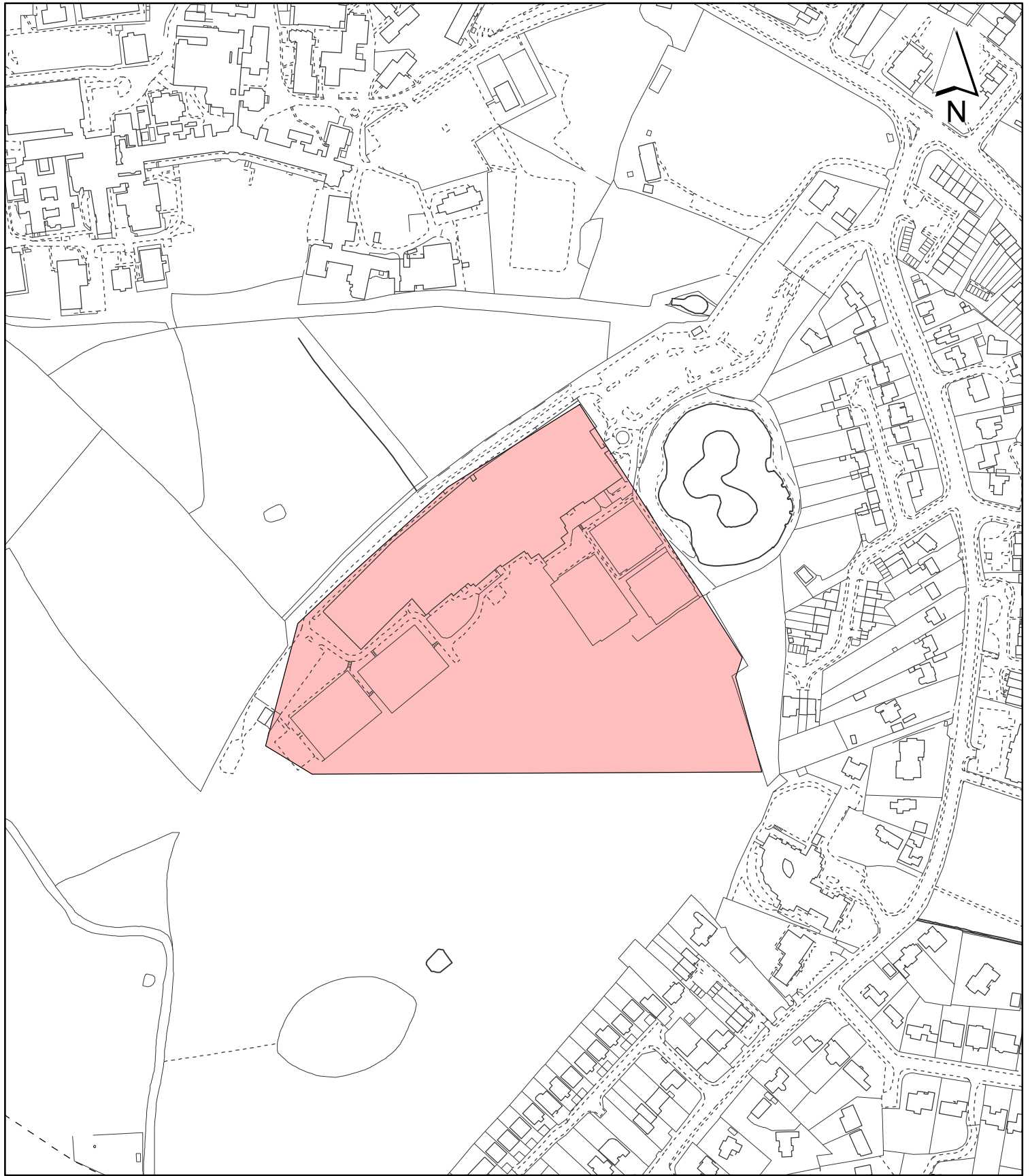
#### **11. Reference Documents**

Hillingdon Local Plan Part 1 - Strategic Policies (November 2012).  
Hillingdon Local Plan Part 2.  
The London Plan (2015).  
Supplementary Planning Document 'Accessible Hillingdon'.  
National Planning Policy Framework.

**Contact Officer:** Liz Arnold

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**Notes:**

 Site boundary

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Site Address:

**Northwood  
 Health & Raquets Club**

**LONDON BOROUGH  
 OF HILLINGDON**  
 Residents Services  
 Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 250111

Planning Application Ref:

**272/APP/2016/1562**

Scale:

**1:3,500**

Planning Committee:

**North**

Date:

**August 2016**



**HILLINGDON**  
 LONDON